

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TANYA BATES	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
	:	No. 09-CV-4245
MCELDREW & FULLAM, P.C.	:	
and	:	
JAMES MCELDREW	:	
	:	
Defendant.	:	
	:	

ORDER

AND NOW, this _____, day of _____, 2010, upon consideration of Plaintiff's Motion to voluntarily dismiss and withdraw her lawsuit with prejudice in the above-captioned matter, it is hereby **ORDERED** and **DECREED** that Plaintiff's Motion is **GRANTED**.

The Honorable R. Barclay Surrick, J.

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Plaintiff,	:	CIVIL ACTION
v.	:	
MCELDREW & FULLAM, P.C.	:	No. 09-CV-4245
and	:	
JAMES MCELDREW	:	
Defendant.	:	

**PLAINTIFF’S MOTION
TO VOLUNTARILY DISMISS HER LAWSUIT**

Plaintiff, Tanya Bates (hereinafter referred to as “Plaintiff,” unless indicated otherwise) by and through her undersigned counsel, hereby states as follows in support of her Motion to voluntarily dismiss her lawsuit.

1. Plaintiff initiated the above-captioned matter on September 18, 2009.
2. Following a Rule-16 conference and some discovery having been conducted, Plaintiff desires to no longer proceed with this matter.
3. Plaintiff’s undersigned counsel has counseled Plaintiff about the consequences of voluntarily dismissing her case with prejudice, and Plaintiff wishes to proceed with same.
4. Pursuant to Fed.R.Civ.P. 41, Plaintiff is not permitted to withdraw her lawsuit once an Answer is filed unless there is a stipulation between the Parties or unless the dismissal is approved as an Order of this Court.
5. Counsel for all Parties have conferred about Plaintiff’s anticipated withdrawal of her lawsuit, and while Defendants will not agree to a particular stipulation, Defendants do not oppose Plaintiff’s instant Motion.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court grant her Motion and enter her proposed Order.

Respectfully submitted,

KARPF, KARPf, VIRANT & SWARTZ

By: /s/ Ari R. Karpf
Ari R. Karpf, Esq.
3070 Bristol Pike
Building 2, Suite 231
Bensalem, PA 19020
Attorney for Plaintiff

Date: March 26, 2010

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TANYA BATES	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
	:	No. 09-CV-4245
MCELDREW & FULLAM, P.C.	:	
and	:	
JAMES MCELDREW	:	
	:	
Defendant.	:	

CERTIFICATE OF SERVICE

I certify on the date set forth below that I served Defendants with Plaintiff's Motion to Dismiss her Lawsuit at the following address through Defendant's counsel of record via electronic filing:

Joseph Goldberg
Weber Gallagher Simpson Stapelton Fires & Newby LLP
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Philadelphia, PA 19103
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KARPF, KARPF, VIRANT & SWARTZ

/s/ Ari R. Karpf
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Building 2, Ste. 231
Bensalem, PA 19020
Attorney for Plaintiff

Dated: March 26, 2010